

United States District Court

for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAR 28 2018

SEAN F. McAVOY, CLERK
SPOKANE, WASHINGTON DEPUTY

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Delbert W. Lee, Jr.

Case Number: 0980 2:17CR00061-WFN-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, U.S. District Judge

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Date of Original Sentence: March 8, 2017

Original Offense: Theft of Mail Matter, 18 U.S.C. § 1708

Original Sentence: Prison - 57 days
TSR - 36 months Type of Supervision: Supervised Release

Revocation Sentence: Prison - 2 months
07/13/2017 TSR- 34 months

Asst. U.S. Attorney: Scott Jones Date Supervision Commenced: September 5, 2017

Defense Attorney: Roger Peven Date Supervision Expires: July 4, 2020

PETITIONING THE COURT

To issue a warrant and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 11/21/2017.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number **Nature of Noncompliance**

- 4** **Mandatory Condition # 2:** You must not unlawfully possess a controlled substance. You must refrain from any unlawful use of a controlled substance, including marijuana, which remains illegal under federal law.

Supporting Evidence: On November 6, 2017, Mr. Lee reported to the U.S. Probation Office. Mr. Lee was reminded of his conditions and given a copy of his judgment. He stated he understood each condition fully.

On March 26, 2017, it was discovered that Mr. Lee had consumed a controlled substance (morphine) that was not prescribed to him. This was discovered while Mr. Lee was at Pioneer Center East inpatient substance abuse treatment center.

- 5 Standard Condition # 5:** You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the

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people you live with), you must notify the probation officer at least 10 calendar days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

Supporting Evidence: On November 6, 2017, Mr. Lee reported to the U.S. Probation Office. Mr. Lee was reminded of his conditions and given a copy of his judgment. He stated he understood each condition fully.

On March 27, 2017, the undersigned officer was notified by Mr. Lee's substance abuse counselor at Pioneer Center East inpatient treatment facility, that Mr. Lee absconded from the facility. His whereabouts are unknown at the time of this report, and he has not received permission from his probation officer to change his residence from the inpatient facility.

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Special Condition #3 : You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On November 6, 2017, Mr. Lee reported to the U.S. Probation Office. Mr. Lee was reminded of his conditions and given a copy of his judgment. He stated he understood each condition fully.

Mr. Lee consumed an illicit substance while at Pioneer Center East inpatient treatment. Upon learning that he was going to be discharged unsuccessfully he absconded from said facility.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 11/21/2017, and that the Court issue a warrant requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 3/27/2018

s/Richard Law

Richard Law
U.S. Probation Officer

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THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Signature of Judicial Officer



Date